

Report on the

Alabama Licensure Board for Interpreters and Transliterators

Montgomery, Alabama



Department of Examiners of Public Accounts

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Representative Howard Sanderford
Chairman, Sunset Committee
Alabama State House
Montgomery, AL 36130

Dear Representative Sanderford,

This report was prepared to provide information for use by the Sunset Committee in conducting its review and evaluation of the operations of the **Alabama Licensure Board for Interpreters and Translitterators** in accordance with the *Code of Alabama 1975*, Section 41-20-9.

The report contains unaudited information obtained from the management, staff, and records of the **Alabama Licensure Board for Interpreters and Translitterators**, in addition to information obtained from other sources.

Please contact me if you have any questions concerning this report.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald L. Jones", written in a cursive style.

Ronald L. Jones
Chief Examiner

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PROFILE

Purpose/Authority

The Board of Interpreters and Transliterators was created by Act 98-675, *Acts of Alabama*. The board licenses and permits the providers of interpreting and transliterating services, and establishes and monitors interpreting and transliterating standards in Alabama. Interpreting is the process of translating orally for parties conversing in different languages. Transliteration is the process of representing letters or words of one alphabet in the corresponding characters of another alphabet. The *Code of Alabama 1975*, Sections 34-16-1 through 34-16-16 provides the current statutory authority for the board.

Board Characteristics

Members	9
Term	No more than two consecutive 4-year terms
Selection	Appointed by the Governor 7 members nominated by professional organizations 2 appointed directly
Qualifications	<ul style="list-style-type: none">• United States citizen• Alabama Resident• 4 interpreters or transliterators certified at a professional level, one of which must work in an educational setting.• 3 deaf or hard of hearing members who are knowledgeable in the field of professional interpreting.• 2 members at-large who have an interest in and are experienced in dealing with issues that affect the deaf, hard of hearing, and interpreting communities.
Racial Representation	No statutory requirement One minority member
Geographical Representation	No statutory requirement
Consumer Representation	No statutory requirement

Compensation	Members receive no compensation, but are reimbursed for travel expenses in the same manner as state employees.										
<u>Operations</u>											
Administrator	Keith Warren, Executive Director Contract employee – Warren & Co Annual Contract - \$9,000.00 <i>The contract expired March 1, 2004 and was not renewed. The board currently has no executive director, offices, or employees.</i>										
Location	The board currently has no offices due to expiration of the board's contract with Warren & Co. (see above).										
Type of License	<table> <tr> <td>Licenses</td><td>63</td></tr> <tr> <td>Permits</td><td>83</td></tr> <tr> <td>Education Permits</td><td>46</td></tr> <tr> <td>Provisional Permits</td><td><u>17</u></td></tr> <tr> <td>Total Licensees</td><td>209</td></tr> </table>	Licenses	63	Permits	83	Education Permits	46	Provisional Permits	<u>17</u>	Total Licensees	209
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Permits	83										
Education Permits	46										
Provisional Permits	<u>17</u>										
Total Licensees	209										
Renewal	Licenses and permits are renewed annually on March 15 of each year.										
Examinations	<p>The board is not involved in examination of applicants. However, the board evaluates and approves the qualifications of applicants, which include successful completion of examinations administered by other organizations.</p> <p>There are three levels of practice: Non-renewable permit holders Renewable permit holders Licensees</p> <p>Non-renewable permit applicants are not examined, but are permitted temporarily on the basis of recommendations by three licensed interpreters.</p> <p>Renewable permit applicants must submit to the board proof of completion of a code of ethics examination approved by the board and proof of an interpreting performance assessment approved by the board. The board has approved the following performance assessments in its administrative rules: Registry for Interpreters of the Deaf performance assessment, passing parts 1 & 2, National Association for the Deaf, attaining levels 3, 2, or 1, Georgia Quality Assessment, Florida Quality Assessment,</p>										

	<p>Educational Interpreter Evaluation, English Signing System Evaluation.</p> <p>License applicants must submit to the board proof of current certification by a nationally-recognized organization approved by the board and proof of having completed a code of ethics examination approved by the board. Nationally recognized certifying organizations approved by the board are: National Association of the Deaf (NAD); Registry of Interpreters for the Deaf, Inc., (RID).</p> <p>Board-approved code of ethics exams are:</p> <ul style="list-style-type: none"> • RID Generalist Exam – administered by the Registry of Interpreters for the deaf on the first Saturday in June and December in Talladega • Interpreter Ethics/Knowledge Test – administered by Jacksonville State University at the request of an applicant upon two weeks notice.
Continuing Education	2 units of continuing education annually.
Reciprocity	The board is authorized to enter into a reciprocal agreement with any state, agency, or other organization that licenses, certifies, or registers professional interpreters or transliterators, or both, if the state, agency, or organization has substantially the same or more stringent requirements as Alabama. Currently, the board has no reciprocal agreement with any licensing organizations.
Employees	One employee – by contract NONE
Legal Counsel	Bill Garrett Attorney General's Office
Subpoena Power	None, except as authorized by the Administrative Procedure Act for contested cases.
Internet Presence	www.albit.state.al.us . The boards' web site contains: <ul style="list-style-type: none"> • Statutory authority • Administrative rules • Application forms • A listing of all current board members • Current licensees
Attended Board Member Training	4 board members

<u>Financial</u>	
Source of Funds	Licensing fees
State Treasury	Yes
Unused Funds	Funds in excess of \$250,000 at fiscal year end are used to provide for the education and training of interpreters and transliterators in postsecondary programs. (<i>Code of Alabama 1975</i> , Section 36-16-9)

SIGNIFICANT ITEMS

1. The board's web site "albit.state.al.us" is outdated. According to the website, the Rules and Regulations are not yet promulgated; however, the rules were effective July 16, 2002. The board's statutes were amended effective February 2002, but the statutes, as presented on the website do not include the amended sections. At the time this report was prepared, the board had not posted meeting dates for the 2004 calendar year.

STATUS OF PRIOR FINDINGS

The board has the following unresolved findings from the prior audit report:

1. Board members are not serving according to the staggered terms created by the board's licensing law. Terms of the board's initial members were created to expire as follows – two members expiring in 2002, four members expiring in 2004, and three members expiring in 2005. Two members have been appointed for periods that do not coincide with the normal expiration of board terms. Consequently, the staggered pattern has been altered so that the appointed terms of two members expired in 2003; five members terms expire in 2004; and two members expire in 2005. Attorney General's Opinion 95-00169 states that the staggered pattern of original appointments of boards must be preserved and takes precedence over the periods named in the board members' appointments. Currently, two board members are serving past their appointed terms. The terms expired December 31, 2002. No appointments have been made by the Governor's Office to replace the expired board members. The current members are serving until successor appointments are made, a condition specifically authorized in the board's enabling statutes.

Current Status - According to the Executive Director, the board has requested the Governor's Office to amend the appointments of current members to expire at the end of normal terms as well as appoint new members to replace the expired board members.

2. The board's administrative rule 488-X-1-.05 improperly extend the term of licensees 45 days after the statutory date. The *Code of Alabama 1975*, Section 34-16-5(d) states, "Failure to renew a license on or before March 15 of any year shall result in a lapse of the license." There are provisions for reinstatement and late renewal, but there is no provision for a licensee to be licensed pending late renewal or reinstatement. Administrative Rule 488-X-1-.05 states, "all licenses granted by the Alabama Licensure Board of Interpreters and Translators shall expire 45 days after March 25th." Consequently, the rule conflicts with the law. The law does not provide authority for the board to extend the term of a license beyond March.

Current Status – The improper rule remains uncorrected.

3. The Board has not adopted administrative rules in accordance with the requirements of the State's Administrative Procedure Act for late renewal and reinstatement fees and the procedures for complaint processing. The *Code of Alabama 1975*, Section 34-16-5(d) states, "Failure to renew a license on or after March 15 of any year, shall result in a lapse of the license. The holder of the lapsed license may

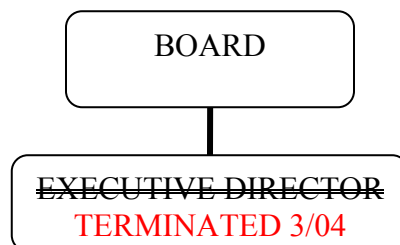
be reinstated by the board if the licensee is in compliance with all other relevant requirements of the Board, applies to the Board for renewal and pays the appropriate renewal, late penalty, and reinstatement fees prescribed by the Board.” The board has procedures for reinstating lapsed licenses, but has not adopted them as rules according to requirements of the state’s Administrative Procedure Act. The board has not prescribed late penalty and reinstatement fees.

Current Status – The condition described above remains uncorrected.

The ***Code of Alabama 1975***, Section 34-16-4(i) (4), states that the board shall have the duty to establish a procedure to enable the investigation of complaints concerning the violation of ethical practices for licensed or permitted interpreters. Although the board has established procedures to address complaints, the procedures have not been adopted as administrative rules according to the requirements of the states’ Administrative Procedure Act.

Current Status – The condition described above remains uncorrected.

ORGANIZATION



PERSONNEL

The board contracted with Warren & Co. to serve as its executive director and to provide all administrative and clerical assistance. The contract was terminated as of March 1, 2004. The board currently has no employees or contractor to handle the board’s administrative duties.

PERFORMANCE CHARACTERISTICS

Number of Licensees per Employee – 209 (prior to termination of the executive director)

Total Expenditures per Licensee (2002-03 fiscal year) - \$66.00

Notification to Licensees of Board Decisions to Amend Administrative Rules

The board complies with the procedures in the Administrative Procedure Act, which includes submitting proposed rules to the Legislative Reference Service for publication in the Administrative Monthly.

Complaint Resolution

The board accepts only written complaints or video tapes. According to the former executive director, the board has not received any complaints against a licensee or permittee.

Complaint Process

Initial Documentation	All complaints are submitted in writing in the form of a letter, by video tape or on the board's general complaint form. The board does not accept anonymous complaints. All charges must be submitted to the chair of the board within 90 days of the alleged occurrence.
Receipt of Completed Complaint	The complaint is assigned to an investigative committee which consists of the executive director, legal counsel, chairman and an investigator.
Formal Hearing	A formal hearing is held if the committee determines there is probable cause.

FINANCIAL INFORMATION

The *Code of Alabama 1975*, Section 34-16-4(i)(2) authorizes the board to set the following types of fees. The board has set the fees at the amounts shown below:

Schedule of fees

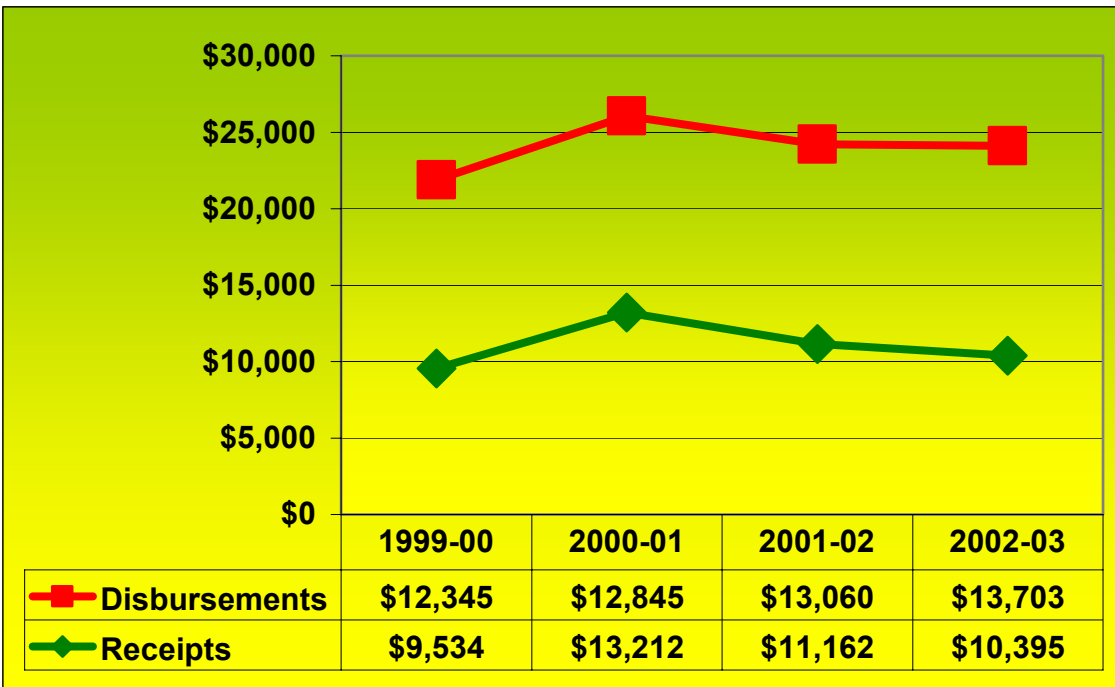
<u>Description</u>	<u>Amount</u>
License, original and renewal	\$35.00
Permit, original and renewal	35.00 50.00
Late Fee	10.00
Replacement card or certificate	7.00
Roster of licensees	30.00
Administrative Fine	Up to \$1,000

Schedule of Operating Receipts, Disbursements, and Balances

October 1, 1999 through September 30, 2003

	2002-03	2001-02	2000-01	1999-00
<u>Receipts</u>				
License Fees	<u>\$ 10,395.00</u>	<u>\$ 11,162.00</u>	<u>\$ 13,212.00</u>	<u>\$ 9,534.00</u>
<u>Disbursements</u>				
Travel In-State	2,933.10	1,808.13	1,669.36	1,392.70
Utilities and Communications	208.96	635.42	790.03	651.42
Professional Services	9,562.61	9,927.85	9,203.90	6,377.00
Supplies, Maintenance and Operating Expenses	<u>998.00</u>	<u>688.55</u>	<u>1,181.78</u>	<u>3,923.81</u>
Total	<u>13,702.67</u>	<u>13,059.95</u>	<u>12,845.07</u>	<u>12,344.93</u>
Excess (Deficiency) of Receipts Over Disbursements	(3,307.67)	(1,897.95)	366.93	(2,810.93)
Cash Balance at Beginning of Year	<u>8,426.08</u>	<u>10,324.03</u>	<u>9,957.10</u>	<u>12,768.03</u>
Cash Balance at End of Year	5,118.41	8,426.08	10,324.03	9,957.10
Reserved for Year End Obligations	<u>(250.00)</u>	<u>(200.00)</u>	<u>(400.00)</u>	
Unobligated Fund Balance at Year End	<u><u>\$ 4,868.41</u></u>	<u><u>\$ 8,226.08</u></u>	<u><u>\$ 9,924.03</u></u>	<u><u>\$ 9,957.10</u></u>

Operating Receipts vs. Operating Disbursements (Chart)



QUESTIONNAIRES

Board Member Questionnaire

Questionnaires were mailed to all nine board members. Four responded.

Question #1

What is the most significant issues currently facing the Board of Interpreters and Translators and how is the board addressing these issues?

“I believe we are ready to connect with our membership in a more vital way. The ALBIT articles in the *Alabama Registry of Interpreters for the Deaf* newsletter have been informative. The newly established ALBIT committees are productive in examining requested CEUs and determining appropriate reciprocity with other states.”

“Tracking applicants from out-of-state to ensure that state standards are comparable and instituting necessary activities if standards are not comparable.”

“With the resignation of our present administrator, we are in the process of finding another administrator. The board is brainstorming the best way to go from here in this transition or reorganization.”

“Regulating the practice of interpreting in Alabama. The board has set up a Test Review Committee to work on the standards.”

Question #2

What changes to the Board of Interpreters and Translators laws are needed?

“I believe the laws need to require Boards of Education to hire only educational interpreters who have lawful credentials. They and other agencies regularly using interpreters should report the credentials of all their interpreters to ALBIT. An official complaint to ALBIT from the public is rare, though we intuitively know there are innumerable illegalities in hiring interpreters.”

“None of which I am aware.”

“Not only for this board but for others, the process of board appointments needs to be altered for a more expeditious route.”

“I do not feel that there are any changes that need to be made at this time.”

Question #3

Is the Board of Interpreters and Transliterators adequately funded?

Yes 3 No 1 Unknown No Opinion

“If all working interpreters had licenses or permits, there would be enough money to make the ALBIT more secure. We have enough funds to do the minimum but we worry about the future.”

“The board is self funded without state support.”

Question #4

Is the Board of Interpreters and Transliterators adequately staffed?

Yes 3 No 1

“We are not sure that we have sufficient guidance to do the excellent job we desire and have felt neglected in this regard to some extent. It is almost as though we need to be assigned a veteran mentor from a larger board to work alongside us to reassure or empower us. We are trying to clarify whether we are communicating our needs to our administrator and understanding what our own duties are well enough to prevent distrust. We are documenting dissatisfaction so that we can clear the air and prevent future understandings.”

“With the resignation of our administrator, this is difficult to say at this time. However, now that the board is more sophisticated in training and expectations, I feel this topic will be moot as we find another administrator.”

Question #5

What is the purpose of your fiscal year end balance of unobligated funds?

“At this point, unobligated funds are the badly needed reserves for basic services in the following year.”

“The maintenance of board functions in the future.”

“To support the administration and for possible legal fees, etc.”

“To be used in emergency situations or unexpected situations that arise before the board.”

Licensee Questionnaire

Questionnaires were mailed to one hundred licensees. Fifty-nine responded.

Question # 1

Do you think regulation of your profession by the board is necessary to protect public welfare?

Yes 49 No 9 No Opinion 1

“No, if a deaf person uses you once and you can’t do the job, they won’t continue to use you or recommend you to friends.”

“Absolutely! Without the board we would have unqualified people providing services and causing more harm than good!”

“The professional organizations do well to take care of the public welfare.”

“Yes, I think it helps support our profession.”

“However, regulations need to be enforced.”

“No, what it has done is reduce the number of interpreters making it harder for businesses to provide interpreters.” As an interpreter services coordinator for several major institutions, I have found no significant change in the quality of interpreters since licensing became effective. There are however, fewer interpreters. At least 2/3rds of interpreters with whom I formerly contracted are now practicing in Mississippi, Florida, or other states. Another significant group has changed profession. The interpreters lost since licensure was no worse than the interpreters. I no longer provide services myself or contract interpreters.”

“No, however I know that there is a benefit to regulation just as there are drawbacks.”

“The standards need to be stricter.”

“I think there is a need for the board. The group of people we work with need a way to protect their rights and interest.”

“Interpreting is a relatively new profession, still striving for legitimacy. Regulation helps with this aspect as well as assuring that interpreters are held up to at least a minimal skill level. For years, interpreters were only volunteers; this is finally changing with this regulation.”

“Yes, especially when serving the young deaf Alabamians in primary and secondary school.”

“Only in the case of education is regulation of this profession by the board necessary.”

“It is necessary to protect the deaf consumer and I think that is what the board is doing.”

“This is a money grabbing and controlling bunch of interpreters that do not want any new blood to enter this profession. This is ridiculous!”

“Even though there is a board, there are still those unqualified interpreters at work out there to the detriment of the deaf population.”

“Regulation protects interpreters and especially school students!”

“The deaf citizens of Alabama have a right to clear understanding.”

“Certification standards do that without licensure. Licensure only adds to the cost that interpreters must endure.”

“To ensure professional and competently trained interpreters I feel we need licensure and a governing board. This does help protect those using our services.”

“I feel the regulations were put in place in the wrong manner. There were no steps taken to ensure those entering the profession would have an educational outlet to meet the need to obtain more CEUs per year than a teacher in the school system.”

“We are already regulated by RID/NAD as to our continuing education, etc. but we do need licensure in Alabama to ensure quality.”

“Indeed, as all interpreters can tell you first hand of the harm on the deaf culture caused by unethical and unqualified people calling themselves *interpreters*. The board issues a certain quality of interpreters promoting the experience to a positive one for all involved.”

“Definitely, the regulations need to be more stringent with educational interpreters.”

Question #2

Do you think any of the board’s laws, rules, and policies are an unnecessary restriction on the practice of your profession?

Yes 11 No 43 Unknown 2 No Opinion 3

“The board announced a public hearing to discuss discontinuing accepting NAD Level One as a qualification for interpreters. Several people were in attendance who spoke in support of this motion, including myself. Speakers included the President of the Alabama Association of the Deaf who also brought word from the President of the National Association of the Deaf. All were in support of this motion. After audience comments were heard, letters were read into the minutes. Three nearly identical letters advocated an amendment to this motion. (The authors of these letters were not in attendance and all worked at the same location). After audience

discussion was closed, a board member put the amendment on the table. This amendment was completely contrary to the original motion. After discussion by the board, the original motion failed and the amendment carried. There was no opportunity by those in the audience to speak to the amendment. This had every appearance of collusion. Comments from the citizens who had traveled to this meeting from throughout the state were disregarded. To date, I have not seen any explanation of why this amendment was allowed to pass. (As a side note, the NAD no longer offers this test so the issue is moot for incoming interpreters. However, the process appeared tainted.)”

“You won’t be used if you can’t handle the job.”

“There are many qualified people that are unable to interpret because they can’t pass the written test or pay for performance tests. These tests are very expensive.”

“I do believe that there should be an opportunity for the board to grant extensions for extenuating circumstances such as illnesses, deployment, etc.”

“How can an interpreter pass two tests they must take before being able to work if they have had no interpreting experience? Experience is the best teacher.”

Question #3

Do you think any of the board’s requirements are irrelevant to the competent practice of your profession?

Yes 12 No 43 Unknown 1 No Opinion 3

“Educational interpreters need to have requirements focused more on the kind of interpreting they do, which is different from freelance interpreting.”

“It would be a good idea to survey the people who left the profession or who practice in another state.” The Code of Ethics testing includes the history of specific organizations like RID, NAD, and other deaf organizations. A state approved Code of Ethics could be created and a candidate for license or permit could sign a copy agreeing to abide by them. Also, an in-state performance test should be provided at regular times in different areas of the state.”

“NAD 1s and 2s should be allowed to continue interpreting.”

“I don’t think any of the requirements are irrelevant, but I do think some are too strict.”

“Should be stricter rules for educational interpreters.”

“We are not allowed to count college credit courses for CEUs. We are only allowed to count the classes that are RID approved.”

“Only if/when they would conflict with national licensure/certification issues.”

Question #4

Are you adequately informed by the board of changes to and interpretations of board positions, policies, rules and laws?

Yes 32 No 24 Unknown 3 No Opinion

“I contacted the ALBIT to determine the process for filing a grievance against someone who is working as an interpreter with neither a license nor a permit. The ALBIT office did not return my calls. There was no information on the grievance process on their website. I contacted the ALBIT chair who gave me all the information needed. She told me to call the office and request a particular form. After several tries, I did receive the form. I filed the grievance form and have heard nothing from the board. Two months have passed.”

“These changes should be sent directly to individual interpreters. I assume there is something being sent to local chapters of RID. That is far from adequate. Proposals of changes should be sent before they are passed!”

“We are only contacted once a year when it is time to renew our license.”

“Somewhat, they need to post information on the website in a more timely manner.”

“I never received any correspondence. Law said an educational interpreter representative would be on the board. Who is that? I don’t believe there is one.”

Question #5

Has the board performed your licensing and renewal in a timely manner?

Yes 46 No 13

“For the most part, but there are occasions when there are problems. For example in 2003 I sent my renewal in February and I finally received my renewal after four increasingly nasty messages left at the ALBIT office in May.”

“On one occasion, they were slow in sending my license. Trying to contact the phone number on the application is near impossible to speak to a human being.”

“I think the renewal time could be much shorter than it has been in the past.”

“No, they are difficult to contact, poor communications. Phone contact is impossible. I called several times to apply for a license and never talked to anyone directly involved. Also a licensed interpreter has been calling businesses to inform them of when interpreter license or permits expire.”

“Yes, as a rule. However they need more clerical help!”

“No, not usually and I have had my payments lost twice and had to resend the fee.”

“It’s untimely on the part of the office staff.”

“Yes, however if there is any irregularity on my part, receiving information takes undue time.”

“Most of the time.”

“It has been late in the past on occasion.”

“However, I have received phone calls from other interpreters stating that they have encountered problems with the length of time it takes to get a response. They say they call the office and it takes a very long time to get a call back. Some say that they have had difficulty with communication at the office.”

“A bit slow in this area and several people has voiced similar frustration.”

“At times there have been delays. I even got someone else’s certification because they mixed up different first names with the same last name.”

“Sometimes, but they are so hard to get a hold of on the phone at other times!”

“I had to wait this past year to receive my license. I had to send a letter.”

“No, last year (2003) I did not receive my permit until June. I had to make several contacts to request information about why it was so late and when I would receive it.”

“Not the first year, but successive years have been fine.”

“Yes, but they lost my papers one time.”

“On one hand I appreciate the board and the standards it has raised. But the problems are real and need to be addressed. This licensure law has left many a deaf person without an interpreter. There are days now that my students sit in a classroom not knowing what is being said. There needs to be some changes made!”

“It has been a constant frustration and challenge in accomplishing matters in a timely manner and being able to communicate with the persons in place to aid with licensure issues.”

“I understand they are busy so some delay is expected of course. No complaints.”

“New professionals to Alabama have an insurmountable amount of requirements in order to gain a permit/license. They must have three letters or recommendations by licensed Alabama

interpreters. When is a performance test given? Who knows! What can one expect to be tested on? It's a dark secret only known by a few."

"I've had glitches."

Question #6

Do you consider mandatory continuing education necessary for competent practice?

Yes 49 No 7 Unknown 2 No Opinion 1

"I sometimes learn more much more from my team interpreters than from any workshop."

"We should have some requirements to keep up to date."

"They drain money from a group that is already underpaid and gives money to a group which does not provide a service to the target consumer (deaf people)."

"For those new to the profession, yes, but most of us have been interpreting for over 10-15 years. We should be qualified by now."

"It is provided by professionals that can enrich and teach someone something."

"Definitely! No one knows it all."

"I would if the costs were not so great in comparison to the little amount of money that is earned."

"We need a way to keep our skills up for our clients. However, due to my family situation and my area I have a hard time finding workshops that I am able to go to near my home. When I do find a workshop much of the time my husband has to take off from work so that I can get 1 or 2 CEUs. I have had to even ask my parents to take off from their work to go to certain workshops that are not in my town so that someone can care for my daughter and my husband doesn't have to take two days off. I wish there were more opportunities for CEU's in my home area."

Question #7

Has the board approved sufficient providers of continuing education to ensure your reasonable access to necessary continuing education hours?

Yes 48 No 6 Unknown 3 No Opinion 2

"Yes, but too costly and the board fails to approve anything that is not recognized by RID (private organization)."

“Unless you have a state job that pays you to go to these workshops and gives you the day off. In the past, I have not been able to attend workshops because the deaf people I’m servicing would have had no interpreters. They need to audit the titles of workshops. There is very little to improve actual interpreting. Workshops mostly promote a social agenda, promote RID and provide nothing to actually help improve interpreter skills. Even workshops with titles which seem beneficial just rehash old tired subjects ALRID is the only approved provider.”

“They approve providers but most of the times they are so far away that many times I can’t go the workshops.”

“I don’t know that the board provided anything but a lot of backstabbing and gossip.”

“This is an area which needs improvement.”

“We could use more opportunities here in Alabama instead of having to go out of state.”

Question #8

What do you think is the most significant issue(s) currently facing your profession in Alabama and what is the board doing to address the issue(s)?

“The board does nothing except levy fees on working interpreters. Nothing has changed, except we now pay \$50 a year license tax.”

“The shortage of qualified interpreters has been and continues to be a critical hindrance to the provision of sign language interpreting services. Consistently, the board’s response has been to lower the requirements and to grant extensions and waivers to people who do not satisfy the minimum requirements. This practice may be seen as a band-aid solution; however, it goes against the intent and letter of the law as written. Allowing under qualified people to work in this profession does not benefit the consumers.”

“Adequate training for novice interpreters and setting up mentoring programs.”

“We do not have enough interpreters to go around. We have no substitutes for educational interpreters because of the limitations on interpreters.”

“Alabama needs an interpreter training program (bachelor level) accessible to all areas of the state, and mandated mentoring for permitted interpreters would be desirable until an interpreter training program could be established.”

“A shortage of available licensed interpreters. I don’t know what, if anything, the board is doing about it.”

“Alabama has tremendous shortage of educational interpreters. College level programs for training interpreters should have been established in the state before licensing was a requirement.”

“Those interpreters who receive a permit are not required to have an interpreter as a mentor until they achieve their license.”

“Fees for upholding certifications and licenses are a huge issue and I am unaware of any action.”

“There are too few interpreters in the state. Creating new laws to further stifle the increase in the number of interpreters.”

“Enforcement of the law. The board doesn’t have the power to apply any penalty for breaking the law!”

“Skilled interpreters from other areas must jump through so many hoops. They may not have interpreting as a primary profession but deaf clients request them and can’t get them due to the fact that these individuals may not want to deal with the hassle of obtaining a permit or license.”

“Primarily, the lack of highly skilled interpreters in this state seems to be the concern of consumers. I don’t see how the board could do much more to encourage people to move from permitted status to hold a license. Since the board was formed and the law went into effect, there are more certified interpreters in the state. That is a wonderful benefit of the law. The only thing I see as a problem is that there are still people out there working without a permit/license or working without the appropriate permit/license.”

“Not enough interpreters to meet the demand.”

“A shortage of instructors.”

“The length of a license should be two years so we can earn CEUs.”

“I think one of the most important issues is the testing of certified and non-certified interpreters. I don’t know what the board is doing to help the interpreters. I myself am having a hard time finding a way to pay for the testing needed to be able to stay in this field. I work only part-time now but eventually I will go back to full-time and I know the demand for certified interpreters is increasing.”

“Lack of communication. A newsletter by email would help.”

“Under qualified interpreters/transliterators in the K-12 classrooms. The educational permit is inadequate.”

“Workshops for educational interpreters. Ethical issues facing us on a daily basis.”

“Under qualified interpreters and enforcing continuing education credits.”

“No interpreters are being trained in a sufficient and comprehensive manner enough to become interpreters in an adequate amount of time.”

“The board appears to be doing an adequate job.”

“We need more interpreters. Some members of the board are trying to shrink an already small pool.”

“My area is educational interpreting. We are not considered valuable staff of the educational institution and rarely given benefits. A contracted interpreter has no stability or permanency. I don’t know what the board is doing to address this issue.”

“We do not have an interest in state training program for interpreters. I’m not sure this is the board’s responsibility.”

“As an educational interpreter, the problem I face is not being able to have a substitute when I need to be off work. No one is going to the expense and trouble of license for substitute pay. No one is addressing the issue. We have to leave a student in the classroom all day without knowing what is going on. It causes us (educational interpreters) to work when we are sick or needing time off.”

“Certification of new/future certification/licensing practices, it is total chaos and we get no help from the board in understanding what’s going in.”

“Daily interpreters are faced with real time ethical dilemmas and I feel the board’s requirement of NAD and/or RID certification ensures that licensed interpreters are adhering to the profession’s accepted norms and regulations. Also, additional meetings and workshops are open to attend with easy access support from ALBIT.”

“There is no training set up to teach sign language skills.”

“The most significant issue is lack of formal educational opportunities. Licensure should have never been implemented without a way to train and educate interpreters, i.e. interpreter training program or four-year degree. They put the cart before the horse. Freelance interpreters are now paid according to license or permit. With no means of evaluation, the only testing available is through RID for license. Other tests only allow for a permit. RID testing is very costly with only costly workshops for preparation to acquire skills. Educational interpreters must attend professional development at their schools but this is not board approved because it is not RID approved. Therefore educational interpreters must attend outside workshops at great expense to get CEUs. Educational interpreters are paid nothing.”

“Requiring state permits/licenses to work. Issuing licenses are the utmost importance!”

Licensee Questionnaire

“We still have unqualified people in the schools and community (unpermitted). They are hiding under the term teacher’s aid in the schools.”

“Ensuring that all business understands the repercussions of not using licensed or permitted interpreters.”

“There are not enough interpreters in Alabama and there are no training programs with qualified instructors. I don’t know what the board is doing about this.”

“The board and other organizations serving the deaf (such as ALRID) are working on a major issue, the shortage of qualified interpreters for the deaf. Alabama needs an interpreter training program.”

“Alabama does not have an interpreter training program. I’m not aware of how they are addressing this issue.”

“A lack of testing opportunities in the state. You must leave the state to take a performance test which is required to receive a permit or license in the State of Alabama.”

“The board should stop issuing educational permits.”

“Interpreter training is our greatest issue! We need weeks long training in the summer to continue to improve our skills and mentorship programs.”

“Lack of training that is beyond the board’s control. The educational setting is employing poorly qualified and non-credentialed people. State Department of Education not supporting the law or board.”

“Staying current with different performance tests and reviewing those that haven’t been accepted, for example and dealing with upcoming NAD/RID mergers (testing).”

“Interpreting still struggles to be recognized as a true profession by doctors, hospitals, community agencies, etc. This lack of awareness still means that these agencies refuse to pay interpreters. Public awareness is needed desperately.”

“The lack of skilled educational interpreters. However, AEA has control of this area, so it will be a long time coming.”

Question #9

Do you think the board and its staff is satisfactorily performing their duties?

Yes 35 No 3 Unknown 14 No Opinion 7

“Except for a lack of communication.”

“I wish phone calls and questions were answered more timely.”

“I believe the people on the board do all they can, but the task is impossible.”

“What are their duties?”

“There needs to be some kind of communication or awareness from the board to the Board of Education and on down to the principals regarding the necessity of a licensed/permitted interpreter and continuing oversight to ensure that interpreters in the school system have met these requirements.”

“As best they can.”

“I am very pleased with the board we have here in the State of Alabama. I do realize that they have a lot of area to cover but I still believe they should accomplish things in a timely manner.”

Question #10

Has any member of the board or its staff asked for money (other than normal fees), services, or any other thing of value in return for performing a board service for you?

Yes	No	58	Unknown	1	No Opinion
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“If they did you would be the first to know. Everyone (including deaf consumers) suffers because of all the restrictions that now are put on anyone that attempts to enter the interpreting profession in this state. This is sad, sad!”

APPENDICES

Statutory Authority

CHAPTER 16. INTERPRETERS AND TRANSLITERATORS.

Effective date:

The act which added this chapter became effective August 1, 1998.

§ 34-16-1. Short title; construction. [AL ST SEC 34-16-1]

Current through End of 2003 Organizational Session



(a) This chapter shall be known as the "Alabama Licensure for Interpreters and Transliterators Act."

(b) This chapter shall be liberally construed and implemented to promote the purposes and policies set forth herein.

(Act 98-675, p. 1480, § 1.)

§ 34-16-2. Legislative intent. [AL ST SEC 34-16-2]

Current through End of 2003 Organizational Session



The Legislature declares that it is in the best interest of the public health, safety, and welfare to regulate the practice of interpreting and transliterating on behalf of consumers who are hard of hearing, deaf, or speech disabled by licensing and permitting the providers of interpreting and transliterating services, and establishing and monitoring interpreting and transliterating standards in the State of Alabama.

(Act 98-675, p. 1480, § 2.)

§ 34-16-3. Definitions. [AL ST SEC 34-16-3]

Current through End of 2003 Organizational Session



For purposes of this chapter, the following terms shall have the following meanings:

(1) Board. The Alabama Licensure Board for Interpreters and Transliterators, created pursuant to Section 34-16-4.

(2) Code of ethics. The tenets established by the Registry of the Interpreters for the Deaf which set guidelines governing professional conduct for interpreters and transliterators, and any other code of ethics approved by the board.

(3) Consumer. A hard of hearing, deaf, or speech disabled person or any other person or an agency that requires the services of an interpreter or transliterator to effectively communicate and comprehend signed or spoken discourse.

(4) Continuing Education Program or CEP. A program approved by the board to improve the skill level of licensees and permit holders.

(5) Fund. The Alabama Licensure Board for Interpreters and Transliterators Fund, created pursuant to Section 34-16-9.

(6) Intermediary interpreter. A person who is credentialed as an interpreter and who serves in an intermediary capacity between another deaf person and another licensed or permitted interpreter or between two or more deaf persons.

(7) Interpreter. A person who is credentialed as a professional interpreter and who engages in the practice of interpreting among consumers. Fluency in all languages interpreted is required.

(8) Interpreting or transliterating. The process of providing accessible communication between and among consumers who do not share a common means of communication. For the purposes of this chapter, interpreting means those processes known as interpretation and transliteration and includes communication modalities, including, but not limited to, visual, gestural, and tactile channels.

(9) Nationally recognized certification. A certification awarded to individuals who successfully complete an evaluation of interpreting skills at a professional level. The term includes a Registry of Interpreters for the Deaf certification, or an equivalent such as the National Association for the Deaf/Alabama Association for the Deaf Interpreter Assessment Program Level 4 or Level 5, or Cued Speech Certification at a national level.

(10) Organizations. The Alabama Association of the Deaf (AAD), a state chapter of the National Association of the Deaf (NAD); Alabama Registry of Interpreters for the Deaf (ALRID), an affiliate state chapter of the Registry of Interpreters for the Deaf, Inc., (RID).

(11) Sign language. Includes all of the following communication systems:

a. American Sign Language (ASL) Based. The language of the deaf community that is linguistically independent from English. The term refers to the visual gestural language used in the United States and parts of Canada and includes all regional variations.

b. English Based Sign Systems. Includes, but is not limited to, all visual representations of the English language such as manually coded English, Pidgin Sign English, and Oral Interpreting.

c. Sign Language. A generic term used to describe a continuum of visual-manual language and communication systems.

d. Cued Speech. A system of handshapes which represents groups of consonant sounds, combined with hand placements which represent groups of vowel sounds, used with natural speech to represent a visual model of spoken language.

(12) Transliterator. A person who is credentialed as a professional transliterator and who engages in the practice of transliteration between consumers utilizing two different modes of the same language. Fluency in both modes of language is required.

(Act 98-675, p. 1480, § 3.)

§ 34-16-4. Licensure Board for Interpreters and Transliterators -- Created; members; terms; officers; meetings; duties; expenses. [AL ST SEC 34-16-4]

- (a) There is created the Alabama Licensure Board for Interpreters and Transliterators.
- (b) The board shall consist of nine members appointed by the Governor as follows:
- (1) Four members certified as interpreters or transliterators at a professional level by a nationally recognized certification, one of whom shall work in an educational setting. A list of three nominations for each of these positions shall be submitted to the Governor by ALRID.
- (2) Three deaf or hard of hearing members who are knowledgeable in the field of professional interpreting. A list of three nominations for each of these positions shall be submitted to the Governor by AAD.
- (3) Two members at-large who have an interest in and are experienced in dealing with issues that affect the deaf, hard of hearing, and interpreting communities.
- (c) All members of the board shall be citizens of the United States and the State of Alabama.
- (d) A list of three nominees for each position except for the at-large positions shall be submitted to the Governor by the designated organizations by October 1, 1998. The initial terms shall begin January 1, 1999. All appointees to the board shall be citizens of the United States and residents of the state.
- (e) The initial members of the board shall serve the following terms as designated by the Governor:
- (1) Four of the initial members shall serve for two years.
- (2) Three of the initial members shall serve for three years.
- (3) Two of the initial members shall serve for four years.
- (f) Subsequent terms of office shall be four years. No board member may serve more than two consecutive terms. In the event of a vacancy, the Governor shall fill the vacancy from the remaining names on the list of nominees for that position. Each board member shall serve until his or her successor is duly appointed and qualified.
- (g) At its first meeting each year, the board shall elect a chair, a vice chair, and a secretary. No member shall be elected to serve more than two consecutive years in the same office.
- (h) After the initial appointments to the board are made, the board shall meet by January 31 of the following year for the purpose of organizing and transacting business as may properly come before the board. Subsequently, the board shall meet not less than twice annually, and as frequently as it deems necessary, at such time and places as it designates. A quorum necessary to transact business shall consist of five of the members of the board.
- (i) The board shall have all of the following duties:
- (1) Act on matters concerning licensure and permitting, and the process of granting, suspending, reinstating, and revoking a license or permit.
- (2) Set a fee schedule for granting licenses and permits, for renewing licenses and permits, for reinstating a lapsed license or permit, and for assessing penalties for late renewal. The fees shall be sufficient to cover the cost of the continued operation and administration of the board.
- (3) Develop a mechanism for processing applications for licenses, permits, and renewals.
- (4) Establish a procedure to enable the investigation of complaints concerning the violation of ethical practices for licensed or permitted interpreters.
- (5) Maintain a current register of licensed interpreters and a current register of permitted interpreters. These registers shall be matters of public record.

(6) Maintain a complete record of all board proceedings.

(7) Submit an annual report detailing the proceedings of the board to the Governor and file a copy with the Secretary of State.

(8) Adopt continuing education requirements no later than October 1 of the year in which the initial board is appointed. These requirements shall be implemented by January 1 of the year following for renewal of a license or permit.

(j) Board members shall receive the same travel expenses and per diem as state employees pursuant to Article 2 of Chapter 7 of Title 36 and incidental and clerical expenses necessarily incurred in carrying out this chapter. The compensation and expenses shall be paid out of the funds of the board. Reimbursement shall not be made if available funds are insufficient for this purpose.

(Act 98-675, p. 1480, § 4; Act 2002-80, p. 254, § 3.)

§ 34-16-5. License required; issuance; renewal; ethics examination; lapse of license. [AL ST SEC 34-16-5]

(a) After March 15, 1998, any person who provides interpreting or transliterating services for remuneration shall be required annually to be licensed or permitted by the board unless that person is exempt from licensure or permitting pursuant to Section 34-16-7.

(b) The initial license shall be issued upon submission of an application, an affidavit documenting current validation of a nationally recognized certification as approved by the board, and payment of the required nonrefundable annual fee by March 15. Licenses shall be renewed annually, no later than March 15, upon submission of an application and an affidavit documenting current nationally recognized certification at a professional level as approved by the board, payment of the required nonrefundable annual fee, and participation in a continuing education program approved by the board.

(c) All applicants for licensure who are initially certified after January 1, 1995, shall submit an affidavit documenting that the applicant has passed an interpreter code of ethics exam approved by the board.

(d) Failure to renew a license on or before March 15 of any year, shall result in a lapse of the license. The holder of the lapsed license may be reinstated by the board if the licensee is in compliance with all other relevant requirements of the board, applies to the board for renewal pursuant to this section, and pays the appropriate renewal, late penalty, and reinstatement fees prescribed by the board.

(Act 98-675, p. 1480, § 5; Act 2002-80, p. 254, § 3.)

§ 34-16-6. Permit to practice; renewal; ethics examination; lapse of permit. [AL ST SEC 34-16-6]

(a) Any person who practices as an interpreter or transliterator for remuneration on August 1, 1998, but who does not otherwise meet the requirements for licensure, may obtain a renewable permit to practice interpretation or transliteration. An initial permit shall be issued upon submission of the application, documentation of a high school diploma or GED, current employment as an interpreter, and payment of the nonrefundable annual fee. Any person who

does not obtain an initial permit by March 15, 1999, may obtain a nonrenewable provisional permit to practice interpretation or transliteration upon the submission of the application, documentation of a high school diploma or GED, payment of the nonrefundable fee, and submission of three letters of recommendation from licensed interpreters that verify the skill level of the applicant.

(b) In subsequent years, permit holders and nonrenewable permit holders may apply for a renewable annual permit that shall require the submission of an affidavit and supporting materials documenting that the applicant has passed an interpreter code of ethics exam as approved by the board and an interpreting performance assessment approved by the board, the payment of the required nonrefundable annual fee, and the participation in a continuing education program approved by the board. The affidavit shall be submitted no later than March 15 annually.

(c) Subsequent renewal of a permit by a cued speech transliterator shall require submission of an affidavit and supporting materials documenting that the applicant has passed an interpreter code of ethics exam as approved by the board and payment of the required nonrefundable annual fee and participation in a continuing education program approved by the board. The affidavit shall be submitted no later than March 15 annually.

(d) Failure to renew a permit on or before March 15 of any year, shall result in a lapse of the permit. The holder of the lapsed permit may be reinstated by the board if the permittee is in compliance with all other relevant requirements of the board, applies to the board for renewal pursuant to this section, and pays the appropriate renewal, late penalty, and reinstatement fees prescribed by the board.

(Act 98-675, p. 1480, § 6; Act 2002-80, p. 254, § 3.)

§ 34-16-7. Exemptions. [AL ST SEC 34-16-7]

The following persons shall be exempt from licensure or permitting pursuant to this chapter:

(1) Any student who is enrolled in a formal American sign language program, a formal interpreter training program, or a formal interpreter or transliterator internship program. The student shall be allowed to interpret or transliterate as part of his or her training for a maximum of 16 weeks in an educational setting or 120 hours in an agency or business.

(2) Any person who interprets or transliterates solely in a church, synagogue, temple, or other religious setting.

(3) Any person residing outside of the State of Alabama may provide interpreting and transliterating services for up to 14 working days per calendar year without a license.

(4) Any person desiring to interpret for remuneration where circumstances do not allow for fulfillment of the stated requirements for licensure or permitting may petition the board for exemption status.

(5) Those public education personnel and State Department of Rehabilitation personnel, who are not hired as interpreters and transliterators and who are not as a part of their job description responsible for providing interpreting or transliteration services, in circumstances that may necessitate their function as interpreters and transliterators in emergency or incidental situations.

(6) All other public education personnel hired prior to March 15, 2000, who provide interpreting and transliterating services to students. These personnel shall apply for and

receive a permit specifying that their permits are restricted to interpreting and transliteration services provided in the public education setting only. The application for this permit shall be submitted to the board prior to October 1, 2000. It shall be the responsibility of the permit holder to annually renew the permit by earning continuing education units in compliance with the requirements of the interpreters and transliterators licensure law. If personnel, who have been grandfathered in pursuant to this subdivision, for any reason should allow their permits to lapse or expire, those personnel shall lose all privileges of this exemption and shall adhere to all requirements of the interpreters and transliterators licensure law to renew their permits.

(Act 98-675, p. 1480, § 7; Act 2000-755, p. 1711, § 1.)

§ 34-16-8. Reciprocity agreements authorized. [AL ST SEC 34-16-8]

(a) The board may enter into a reciprocal agreement with any state, agency, or other organization that licenses, certifies, or registers professional interpreters or transliterators, or both, if the board finds that the state, agency, or organization has substantially the same requirements or more stringent requirements.

(b) The reciprocity agreement shall provide that the board shall license anyone who is currently licensed, certified, or registered in that state or by that agency or other organization if that state, agency, or other organization agrees to license, certify, or register any practitioners who are currently licensed pursuant to this chapter.

(c) The board shall set by regulation the fees appropriate in processing reciprocity.

(Act 98-675, p. 1480, § 8.)

§ 34-16-9. Annual fee; fund. [AL ST SEC 34-16-9]

Current through End of 2003 Organizational Session

(a) The annual fee may be increased or decreased by the board, provided, the board shall not set an annual fee at an amount which would not provide sufficient revenues to pay all the costs and expenses incurred by the board in enforcing this chapter.

(b) The annual fee shall cover a license or permit for the 12-month period beginning March 15 of each year.

(c) There is created in the State Treasury the Alabama Licensure Board for Interpreters and Translators Fund. All fees collected by the board shall be paid into the State Treasury to the credit of the fund. Monies in the fund shall be subject to withdrawal only upon warrant of the State Comptroller to be issued upon certification of the secretary or treasurer of the board.

(d) Any funds remaining in the State Treasury to the credit of the board at the end of each year in excess of two hundred fifty thousand dollars (\$250,000) shall be available to provide for the education and training of interpreters and transliterators in postsecondary programs. At all times the board may retain a sum not in excess of two hundred fifty thousand dollars (\$250,000) to meet any emergency which may affect the efficient operation of the board. No funds shall be withdrawn or expended except as budgeted and allocated pursuant to Sections 41-4-80 to 41-4-96, inclusive, and Sections 41-19-1 to 41-19-12, inclusive, and only in amounts as stipulated in the general appropriations bill or other appropriations bills. There shall be appropriated from the

fund to the board for the fiscal years 1997-1998 and 1998-1999 an amount deemed necessary by the board to fund the costs of its operations.
(Act 98-675, p. 1480, § 9.)

§ 34-16-10. Application for license or permit; issuance; rejection. [AL ST SEC 34-16-10]

Current through End of 2003 Organizational Session

(a) Any person may apply for a license or a permit pursuant to this chapter by filing a written application on a form prescribed by the board not less than 30 days prior to the next meeting of the board. The application shall be accompanied by the payment of the annual nonrefundable license fee or permit fee. The credentials of the applicant shall be reviewed according to the rules of the board.

(b) If the board finds the credentials in order, a license or permit shall be issued to the applicant.

(c) If the board rejects the credentials, the applicant will be notified in writing informing him or her of the reasons for rejection.

(Act 98-675, p. 1480, § 10.)

§ 34-16-11. Charges of fraud, deceit, etc., against holder of license or permit; hearing; appeal; reapplication. [AL ST SEC 34-16-11]

(a) Any person may bring charges of fraud, deceit, negligence, incompetence, or misconduct against a licensee or permit holder. All charges shall be made in writing or by video tape and sworn to by the person making the charges. All charges shall be submitted to the chair of the board within 90 days of the alleged occurrence. After a review of the charges, the board shall conduct a hearing at which it may dismiss the charges, or may impose a fine not to exceed one thousand dollars (\$1,000), or may suspend or revoke the license or permit of the person charged.

(b) The licensee or permit holder may appeal a decision of the board imposing an administrative fine or revoking or suspending a license or permit by submitting a request to the board for reconsideration within 90 days following the decision of the board. If no resolution is achieved, further appeals shall be submitted to the circuit court in the jurisdiction of the residence of the licensee or permit holder. Any licensee or permit holder whose application for renewal of licensure or permitting was denied or whose license or permit was revoked may reapply after 12 months. The board may then reissue a license or permit or rescind any disciplinary action if a majority of the members, which shall be no less than four members, vote in favor of the action.

(Act 98-675, p. 1480, § 11.)

§ 34-16-12. Rules and regulations. [AL ST SEC 34-16-12]

Current through End of 2003 Organizational Session

The board may promulgate rules and regulations necessary to implement this chapter and accomplish its objectives. The rules and regulations shall be published in the Standards of Professional Practice and made available to all licensees and permit holders. The rulemaking

powers of the board are subject to the Administrative Procedure Act, Sections 41-22-1 to 41-22-27, inclusive.
(Act 98-675, p. 1480, § 12.)

§ 34-16-13. Violations; penalties. [AL ST SEC 34-16-13]

Current through End of 2003 Organizational Session

After January 1, 1999, any person who undertakes or attempts to undertake the practice of interpreting or transliterating for remuneration among consumers without first having procured a valid license or permit, or who knowingly presents or files false information with the board for the purpose of obtaining a license or permit, or who violates this chapter shall be guilty of a Class C misdemeanor. A person who is not licensed or permitted may not bring or maintain an action to enforce any contract for interpreting or transliterating services which he or she entered into in violation of this chapter. Whenever it appears to the board that any interpreter or transliterator has violated or is about to violate this chapter, the board may, in its own name, petition the circuit court of the county where the violation occurred or is about to occur to issue a temporary restraining order enjoining the violation.
(Act 98-675, p. 1480, § 13.)

§ 34-16-14. Actions by board to recover damages; liability of board members.

(a) The board may sue and be sued in its own name to recover actual or compensatory damages, including interest and court costs, sustained within the State of Alabama as the result of conduct of any licensee or permit holder who violates this chapter or the rules and regulations of the board.

(b) All members of the board shall be immune from civil liability while acting within the scope of their duties as board members.
(Act 98-675, p. 1480, § 14.)


§ 34-16-15. Notification of conviction or pending civil action; breach of professional ethics, etc.

(a) A licensee or permit holder shall notify the board within 10 days of any felony conviction, and within 10 days of a civil action being brought against the licensee or permit holder, if the civil action arose from an interpreting or transliterating transaction or involves the goodwill of a licensee or permit holder or an existing interpreting or transliterating business or agency. The notification shall be in writing, sent by certified mail, and include a copy of the judgement.

(b) Allegations of breach of professional ethics or conduct incompatible with the Standards of Professional Practice as determined by the board may be brought against a licensee or permit holder by any individual, business, or agency.
(Act 98-675, p. 1480, § 15.)

§ 34-16-16. Sunset provision. [AL ST SEC 34-16-16]

Current through End of 2003 Organizational Session



The board shall be an enumerated board pursuant to Sections 41-20-1 to 41-20-16, inclusive, and shall be reviewed at the same time as the State Board of Medical Examiners.
(Act 98-675, p. 1480, § 16.)

Board Members (see response)



Don Siegelman
Governor

STATE OF ALABAMA
ALABAMA LICENSURE BOARD
FOR
INTERPRETERS AND TRANSLITERATORS

610 S. McDonough Street
Montgomery, AL 36104
Telephone (334) 269-9990
Fax (334) 263-6115

BOARD MEMBERS		
NAME	TERM EXPIRATION	POSITION
Belinda Montgomery Montgomery, Alabama	12/31/02	Chair
Dru Sweatman Mobile, Alabama	12/31/02	Vice-Chair
Cynthia Frey Phenix City, Alabama	12/31/04	Secretary
Peggy Estes Talladega, Alabama	12/30/04	
Sue Scott Elberta, Alabama	12/31/04	
James A. Waid Montgomery, Alabama	12/31/04	
Judith M. Gilliam Talladega, Alabama	12/31/04	
Sharon Prince Kidd Mobile, Alabama	12/31/05	
Charlene Crump	12/31/05	

Board members Sweatman and Montgomery are serving past the expiration of their terms, pending appointment of replacement members.

STATE OF ALABAMA



ALABAMA LICENSURE BOARD FOR INTERPRETERS AND TRANSLITERATORS

5950 Monticello Drive
Montgomery, Alabama 36117
Telephone/TTY (334) 221-9950
Fax (334) 244-1183
Web site <http://www.albit.state.al.us>
July 14, 2004

Mr. John E. Norris
Director, Operational Division
Department of Examiners of Public Accounts
Gordon Persons Building, Room 3201
50 No. Ripley Street
Montgomery, Alabama 36130-2251

Dear Mr. Norris:

Thank you for the Sunset Committee's recent leniency toward the Alabama Licensure Board of Interpreters and Transliterators (ALBIT) during our transition period while we have been without a Board Administrator. Our immediate tasks were to process interpreters' annual applications; assess our own effectiveness; to learn of and to comply with all the State of Alabama's applicable requirements for state Boards.

We appreciate the additional time and consideration your committee has given us by postponing our Review a month before requiring our answers to the Sunset Committee's questions. Attached is our response to the list of significant items and status of prior findings as reported in the draft of the report from the Sunset Committee.

Please do not hesitate to contact us if further information is needed.

Respectfully,

Cynthia Frey, Chair

2. Significant Item: Website was not updated

The ALBIT website, www.albit.state.al.us now includes current

- contact information,
- identification of officers,
- rosters of licensed and permitted interpreters
- clearer application forms
- calendar of meetings, updated for any changes

Status of Prior Findings

Finding #1.

After disassociation from the previous board administration the ALBIT board chair contacted Sally Robinson of the Governor's Office. It had been some time since we had been told that action had been requested of the Appointment Clerk to cause members' terms to comply with the law; this was with little apparent change. We researched and provided the requested history of members' terms since our board had been established in 1998. We documented what should have been the proper lengths of each board member's term in office to maintain staggering future members' terms. Ms. Robinson assured us that the Governor's Office was eager to attend to this as quickly as possible. We have officially contacted the two stakeholder groups, the Alabama Association of the Deaf and the Alabama Registry of Interpreters for the Deaf who make nominations to the Governor's office, and explained how to go about making their current nominations. In the meantime we have known and were assured by Ms. Robinson that the law allows members whose terms have expired to remain in service until the Governor's Office replaces them. Attached is a graphic with the best information we have today on staggered terms for our Board.

Finding #2.

During the September 4, 2003 Board meeting at the former Board office, Board Counsel advised ALBIT members that our having amended 34-16-5 automatically corrected 488-X-1-.05. We had had a Public Hearing and Board action on March 21, 2003 to pass unanimously the reinstatement policy that is attached. We assumed that our then paid Board Administrator had filed this amendment with the correct department. We have since requested and received the 1996 edition of the Legislative Reference Service Administrative Procedure Division Instruction Manual and Drafting Style Manual for Preparing rules and Notices for Publication in the Alabama Administrative Monthly as well as have downloaded the Alabama Administrative Code to help us remedy this situation ourselves. If necessary, we will have another Public Hearing at our September 17, 2004 meeting and go through the proper channels to make sure this is done to the State's satisfaction.

Finding #3.

On March 21, 2003 the Board adopted procedures for reinstating lapsed licenses, prescribed late penalty and reinstatement fees, but it appears the follow-up was not done as per the Administrative Code. The Board was unaware of this until your Review draft.

Finding #4.

The Board had adopted a Guidelines for Complaint Resolution and a Complaint Form early in its history. Unfortunately we were overly dependent upon the Board Administrator to guide us in what the law requires us to do. We were under the assumption that the Board Members' intense work on these documents and its unanimous vote had taken care of our responsibility in this matter and that anything else required would be done.

To update the Sunset Committee's report, you need to know:

- The Organization page should reflect that at this time our Board is comprised only of volunteer Board Members. One of our veteran Board Members has been acting as Transition Committee Chair without pay.
- The Personnel page should reflect that we have no employees. With the aid of an emergency contract we had part-time hourly help for sixty days. That contract has since expired. We are looking at handling our responsibilities economically by perhaps hiring personnel and leasing office space only for our basic needs. We hope to have this matter settled in some way within the next couple of months before our Board Retreat where we will begin developing Standard Operating Procedures and doing some long range planning.
- The Complaint Resolution page shows a process that may not have been followed without our knowledge. We are now following up four complaints that were sent to the Board Administration office before 2004 about which Board Members were unaware. An additional complaint has recently been filed. Since Board Counsel is out of the country at this time, Assistant Attorney General Alice Maples has been appointed as his designee and has been quite helpful to us. She is guiding us through the properly process for these five complaints. Letters will go out to the complainants after today's Board Meeting.
- The Financial Information page does not reflect a much needed and passed increase in fees. Initial licenses and permits remain at \$35.00 but renewals are now \$50.
- The Board Members page is incorrect. On February 17 the board held its first meeting of 2004 and new officers were elected. Attached are new contact information and the officer election results. At the bottom of page thirty-five of the Review draft, a notation refers to the terms of Sweatman and Montgomery as having expired and that these members will be replaced. Both are actually eligible for reappointment and could conceivably continue through 2006, the maximum eight years allowed.

Please allow me to close by embedding an article which is being published in the next Alabama Registry of Interpreters newsletter. It reads as follows:

STATE OF ALABAMA
ALABAMA LICENSURE BOARD
FOR
INTERPRETERS AND TRANSLITERATORS

5950 Monticello Drive
Montgomery, Alabama 36117
Telephone/TTY (334) 221-9950
Fax (334) 244-1183
Web site <http://www.albit.state.al.us>
July 11, 2004

A letter to the Alabama Registry of Interpreters for the Deaf members
from the Alabama Licensure Board for Interpreters and Transliterators (ALBIT):

Dear ALRID members:

There are many changes going on in the way the Alabama Licensure Board for Interpreters and Transliterators is managing its duties right now. Because of that, Sue Scott, ALBIT Secretary and Nancy Stansell, ALRID newsletter editor, were kind enough to allow me to interrupt our the ongoing series which Sue has been writing with an update on ALBIT in this newsletter.

It was so good for our ALBIT Board Members to be with those of you who were able to be at the ALRID conference in Gulf Shores this year. Wasn't the conference excellent? We commend the organizers and presenters for the superior results of their hard work and the conference's timely topic.

The reason ALBIT CEU requirements were established with only 1.5 out of the 2 units of your Alabama Licensure CEUs to be gained through independent study is because the rich benefits of networking are undisputed. We all need to be with each other to grow personally and professionally.

The Alabama Licensure Board for Interpreters and Transliterators (ALBIT) is growing, too. The task of the first five years of the Licensure Board was to birth and develop the interpreting and transliterating law, as well as its rules and regulations; to issue the licenses and permits; and to handle any formal complaints lodged against those licensed or permitted. We have begun a new five-year period in which the actions of the Board might be compared to a teenager's. There's some rebellion, angst, and displacement but a lot of empowerment.

Like some of you, we were raised in a "home" that was not perfect. Our former Board office was lovely; gave us the legitimacy of having someone to answer to the world for us during the time in which we didn't know what we didn't know; and gave us time to build our self-confidence. There came a time, however, when we realized the Board couldn't use its muscles properly if it sat at "home" where we perceived the parent organization had become too busy with its other "children" to attend to our changing needs. So we left our former Board Administration office to set out our own.

As a result, we have been in transition, like a graduate who is looking for a place of his own in which to live. Like that adolescent, at first our belongings were in several different

places, much of our mail took a circuitous route to us, we had to buy some basic housekeeping supplies, and our friends couldn't always get in touch with us. But all of that is changing.

Though it may still be temporary we at last have a place for all our records to be organized and housed, have the basic office supplies we need, have a way to have people contact us more easily, have successfully processed the bulk of this year's applications, and have learned much about how State administration is managed.

These are some of the other recent positive developments.

- We are reaching out to our stakeholders and encouraging their input for the Board's consideration through personal contact, newsletter articles, and more active invitations to attend our meetings.
- We are becoming active organizational members of COSDA as a way to reach out to an even greater number of stakeholders, in addition to those in ALRID and AAD, which are foremost.
- We are being proactive with the Governor's Assignment Office to help reestablish the original intent of the law's plan for Board Members' terms to be staggered. The date for end of terms had become inaccurate and vacancies had not been filled due to changes inherent in election years.
- The website has been recently updated and further improvements are being considered. Please examine it at www.albit.al.state.us.
- The newest application forms are cleaner and easier to follow.
- We have established a working relationship with the State Department of Education personnel in regard to the state of educational interpreting.
- We have approved the Educational Interpreter Performance Assessment levels 3.5 and higher for Permits as a way of raising educational interpreting minimum standards.
- We are setting up financial records and reports in a more user-friendly format and welcome examination of them by the public. We are looking at cost-effective services to help us forestall any further fee increases.
- We are consistently tracking motions in a way that will permit easy research of Board decisions.
- We have begun the process of examining five formal complaints about which we have just been notified.
- With considerable effort to be sensitive to our stakeholders and state procedures, we have been exploring our options for paid staff member(s) and a place to call our own as part of our administration plan.
- We have done the work of administration without pay, with the exception of some needed clerical work which was done under a temporary, hourly contract.
- We have established Board Committees that work on criteria for performance assessment evaluations, continuing education options, public relations, and finances.
- Certificates have gone out to the licensed interpreters and transliterators.
- We are planning a Board Retreat at which we will develop Standard Operating Procedures and a long-range plan for the next five years.

The Board has spent a great many hours on Board work for the sake of our mission: to ensure the health, safety, and welfare of deaf and hard of hearing Alabamians by "...licensing and permitting the providers of interpreting and transliterating services, and establishing and monitoring interpreting and transliterating standards in the State of Alabama". It's our goal that

you will see us continue to mature into a kind of Board with work ethics, integrity, healthy relationships, orderliness, confidence, sensitivity, and transparency that will become renowned.

We hope you will be proud of the way we turn out, just like friends and parents of the successful graduate are.

Sincerely,
Cynthia Frey, Chair

Thank you for your kind attention and consideration.

Cynthia Frey,
Chair

Alabama Licensure Board for Interpreters and Translators



ALABAMA LICENSURE BOARD FOR Interpreters and Transliterators

BOARD MEMBERS

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interpreter](#)
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[educational
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[provisional
interpreter](#)
[calendar](#)
[faq](#)

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1st Term: 3/15/01-12/31-04
Position: ALRID (Educational)

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E-mail: sthree@gulfnet.com
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Position: ALRID

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2nd Term: 1/1/02-12/31/05
Position: AAD

Belinda Montgomery
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1st Term: 1/1/99-12/31/02
Position: ALRID

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E-
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1st Term: 3/15/01-12/31-04
Position: At-Large Member

Judith M. Gilliam, Vice Chair
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Position: AAD

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2nd Term: 1/1/02-12/31/05
Position: ALRID

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1st Term: 3/15/01-12/31/04
Position: At-Large Member

Dru Sweatman
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1st Term: 1/1/99-12/31/02
Position: AAD

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Law's Intents for Staggering ALBIT Board Terms (Second Terms (2) are in Red)

Name	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
Jackie Bruce (1) ALRID-Educational Interpreter		Moved out-of-state 2000	Cynthia Frey (1) 3/01 ALRID-Education				Can serve again			
Gloria Chappell (1) AAD		(Declined 2 nd term)	VACANT	Judith Gilliam (1) AAD (from 7/02)			Can serve again			
Peggy Estes (1) AAD			Peggy Estes (2)				End of Service			
Robin Price (1) ALRID-General		Moved out-of-state 2000	Sue Scott (1) ALRID-General				Will be Vacant, out of state			
Charlene Crump (1) ALRID-General				Charlene Crump (2)			End of Serv.			
Bruel Davis (1) Member @ Large			(Declined 2 nd Term)	Sharon Prince-Kidd (1) Member @ Large		Resigned May, 2004	VACANT			
Bernadette Goodson (1) Member @ Large	Never attended Resigned	Vacant	James Waid (1) Member @ Large	James Waid (2)			End of Serv.			
Belinda Montgomery (1) ALRID-General					Still	Serving	Can serve (2)		End of Serv.	
Dru Sweatman (1) AAD					Still	Serving	Can serve (2)		End of Serv.	

***Note First term Board Members were appointed by Governor James. When slots were vacated due to resignations or moving out of state, requests were immediately made to Governor Siegleman to replace Board members. Replacements were appointed at the beginning of 2001. Second term appointments were made during Governor Riley's term. We sought the Sunset Committee's assistance**

in filling the vacant slots. We only had 6 current board members, our law required 6 present for a quorum and we were having difficulty conducting business without a quorum. The legislature has since designated 5 board members to constitute a quorum.

Bernadette Goodson's position was vacant for 2 years. Her term was supposed to have been for 3 years. James Waid was appointed in 2001 for a 4 year term, when actually he should have been appointed to finish out Ms. Goodson's 3 year term (through 2001) and been re-appointed for a 4 year term through 2005.

Ms. Prince-Kidd has resigned due to pregnancy and that slot needs to be reappointed.

Ms. Montgomery and Ms. Sweatman have not yet served a second term. If they are reappointed, their terms should be from January 1, 2003-December 31, 2006.

Ms. Frey, Ms. Gilliam, and Ms Scott's 1st terms will end December 31, 2004. Ms. Frey and Ms. Gilliam are eligible for 2nd terms. Ms. Scott will be resigning at the end of her term because she will be spending 3/4 of the year in another state.